

IN THE U.S. District Court For The
Western District of Pennsylvania

07 MAR 28 AM 11

Michael W. Hill, pro. se.
Plaintiff,

v.

John J. Lamanna, Warden et, al.
Defendants.

CLERK
DISTRICT COURT
C.A. No. 03-323 Erie
District Judge McLaughlin
Magistrate Judge Baxter

Plaintiff's Petition for The Court TO
Enter an order formally directing Plaintiff's
Transfer back TO F.C.I Gilmer - B.O.P.

Now comes Plaintiff, Michael W. Hill, pro. se., and moves this court
to enter an order directing Plaintiff's transfer back to the federal
correctional Institution in Gilmer county, West Virginia. The cause or
basis of this motion are as follows:

Relevant Facts

Plaintiff is a chronic care inmate/prisoner who suffers from, kidney
disease (glomerulonephritis - lupus), Raynauds phenomenon, connective
tissue disorder, and hepatitis - C. Plaintiff also suffered a broken bone in
his foot just prior to his removal from F.C.I. Gilmer by the U.S. Marshall's

When he was transported to the Allegheny county jail on November 28, 2006, to await a January 3, 2007, independent medical examine relevant to the now dismissed claims in civil action, Hill vs. Lamanna #03-3235. Plaintiff was also to begin treatments for his kidney disease and connective tissue disorder but first had to wait until his hepatitis - c treatments had cleared in blood system six months after June 15, 2006, which was December 15, 2006. As a result of Plaintiff's placement in the Allegheny county jail, Plaintiff did not receive or was unable to get his post hepatitis - c treatment evaluation in December 2006. Plaintiff was also unable to get his kidney disease and connective tissue disorder evaluations and planned treatments for those diseases which was to also begin around December 2006. In addition, Plaintiff has not received any followup care or appropriate examination for his broken foot. Plaintiff has been without the appropriate and necessary laboratory (i.e., bloodwork, urinalysis testing) to make sure his kidney function and other organs remain stable. Plaintiff submit's, both Erie and Allegheny county jail's lack the facilities and doctor's for the type of ongoing care Plaintiff needs. On January 22, 2007, Plaintiff was removed from the Allegheny county jail and brought to the Erie county jail where he's remained until the present. On March 12, 2007, one of Plaintiff's civil claims was dismissed pursuant to Judge McLaughlin's Adoption of the Magistrates Report & Recommendation, while the other claim (only other remaining claim) was settled out of court. Plaintiff submit's there is no longer any need for the Marshall's to hold Plaintiff at the Erie county jail or, for that matter, anywhere outside of the B.O.P. (FCS Gilmer). For the reasons stated above Plaintiff believes it

Would be medically unsound to have him languish any longer in the present precarious situation when he has already been in a potentially precarious situation since November 28, 2006. Because there is no longer any judicial need to have Plaintiff held in the Erie County jail, Plaintiff respectfully requests that the court direct the Erie/Pittsburgh Marshals service to make a movement request too the Marshal Service Justice Prisoner and Alien transportation system, i.e., JPATS, and/or any other appropriate U.S. Marshal Service division that would be responsible for transporting Plaintiff back to FCI Gilmer, West Virginia. Plaintiff asks the court to consider his medical needs and as such, have Plaintiff transported immediately and/or within a time period that would be sooner rather than later.

CONCLUSION

Based upon the foregoing reasons, Plaintiff prays that this motion will be granted.

Respectfully Submitted,
Michael W. Hill
 Michael W. Hill #25531
 1618 Ash Street
 Erie, Pa. 16503

Dear Clerk,

Attached here you will find one originally of the Plaintiff's Petition seeking a formal order from the court directing transfer back to FCI Gilmer, Please file with the court. In addition, please consider that Plaintiff is currently without access to the proper materials with which to properly prepare his filings, i.e. copy machine, typewriter, etc., and therefore cannot submit the necessary amount of copy's with his original. Please provide copy's and/or allow Plaintiff's Petition to be filed for consideration without them.

Respectfully submitted,
Michael W. Hill